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8 IN THE UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 KI JANG,
15 Defendant.

CASE NO. 2:21-CR-207 TLN KJN
STIPULATION AND PROTECTIVE ORDER

16
17 WHEREAS, the parties desire to prevent the unauthorized disclosure or dissemination of certain
18 sensitive but unclassified discovery materials to anyone not a party to the court proceedings in this
19 matter, or to defendant KI JANG, in this case as provided below;

20 WHEREAS, the sensitive but unclassified discovery materials at issue include information
21 pertaining to victims or potential victims in this case, including personal identifying information,
22 identification documents such as driver's licenses, passports, social security cards, and bank account
23 information;

24 WHEREAS, such sensitive but unclassified discovery materials shall be identified as sensitive
25 and subject to a protective order at the time of disclosure, whether on the documents or other materials
26 (e.g., CDs) themselves or in an accompanying cover letter;

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1 WHEREAS, the parties agree that entry of a stipulated protective order is appropriate, and that a
2 private agreement is not appropriate in light of the nature of the information at issue and the charges in
3 this case; and

4 WHEREAS, the defendant, KI JANG, has counsel (“Defense Counsel”) who wishes the
5 opportunity to review the discovery;

6 Defendant KI JANG and plaintiff United States of America, by and through their undersigned
7 counsel of record, hereby agree and stipulate as follows:

8 1. This Court may enter protective orders pursuant to Rule 16(d) of the Federal Rules of
9 Criminal Procedure, its general supervisory authority, and Local Rule 141.1.

10 2. This Order pertains to all discovery provided to or made available to Defense Counsel
11 that is identified as sensitive and subject to a protective order in this case (hereafter, collectively known
12 as “the protected discovery”).

13 3. Defense Counsel shall not disclose any of the protected discovery to any person other
14 than the defendant, or attorneys, law clerks, paralegals, secretaries, experts, interpreters, and
15 investigators, involved in the representation of his client. At no time shall the defendant be permitted to
16 review the protected discovery outside of the presence of his attorney, and Defense Counsel shall not
17 leave any of the protected discovery with defendant at any location, including at the jail or other
18 institution where that defendant is being held in custody.

19 4. The protected discovery and information therein may only be used in connection with the
20 litigation of this case and for no other purpose. The protected discovery is now and will forever remain
21 the property of the United States Government.

22 5. Defense Counsel will store the discovery in a secure place and will use reasonable care to
23 ensure that it is not disclosed to third persons in violation of this agreement.

24 6. If Defense Counsel releases custody of any of the protected discovery, or authorized
25 copies thereof, to any person described in paragraph (3), Defense Counsel shall provide such recipients
26 with copies of this Order and advise that person that the protected discovery is the property of the United
27 States Government, that the protected discovery and information therein may only be used in connection
28 with the litigation of this case and for no other purpose, and that an unauthorized use of the protected

discovery may constitute a violation of law and/or contempt of court.

7. In the event that the defendant obtains substitute counsel, undersigned Defense Counsel agree to withhold the protected discovery from new counsel unless and until substituted counsel agrees to be bound by this Order.

8. Defense Counsel shall be responsible for advising his client, employees, and other members of the defense team of the contents of this Stipulation/Order.

IT IS SO STIPULATED.

Dated: June 9, 2023

Respectfully submitted,

PHILLIP A. TALBERT
United States Attorney

By: /s/ AUDREY B. HEMESATH
AUDREY B. HEMESATH
Assistant United States Attorney


Dated: June 9, 2023

By: /s/ Christopher Cosca
CHRISTOPHER COSCA
Counsel for KI JANG

ORDER

IT IS SO FOUND AND ORDERED.

Dated: June 12, 2023


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE